IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No. : 10/720,213

Appellant : Nyle Elliott

Filed : 11/25/2003

Group Art Unit: 3763

Examiner : Mendez

Docket No. : A-8730

Customer No.: 20741

Title : SINGLE USE CATHETER

TRANSMITTAL LETTER

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Dear Sirs:

Applicant has previously paid for a Notice of Appeal on February 23, 2009 at the cost of \$270.00. In accordance with 37 C.F.R. 41.31 and 37 C.F.R. 41.20, the Notice of Appeal fee can be applied to the new appeal. As such, no fee is due.

Respectfully submitted,

Howard N. Flaxman Registration No. 34,595

Welsh Flaxman & Gitler LLC 2000 Duke Street, Suite 100 Alexandria, VA 22314 (703) 920-1122